Amendments to the Claims

This listing of claims will replace all prior versions, and listings of claims in the application.

1. (Presently Amended) A method of allocating a player's contribution in a gaming apparatus between a plurality of games, the method comprising ~~the steps of~~ :

   a) receiving a contribution from a user;

   b) splitting the contribution into a number of parts in accordance with a predetermined ratio;

   c) allocating at least one of the parts of the contribution to one of the games;

   d) measuring a performance of the gaming apparatus; and

   [[d]]e) modifying the predetermined ratio in response to the measured performance of the gaming apparatus.

2. (Presently Amended) The A method according to claim 1 in which the measure of performance is the ratio of designed performance and the actual performance.

3. (Presently Amended) The A method according to claim 2 in which the performance is determined in dependence upon the ratio of the revenue of the gaming apparatus and the value of prizes paid by the gaming apparatus.

4. (Presently Amended) The A method according to claim 3 in which the modification of the ratio is proportional to the difference in designed performance and actual performance.

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5. (Presently Amended) The ~~A~~ method according to any preceding claim 1 in which the modified ratio In is determined in accordance with the formula:

$$I_n = I_{n-1} + \left[\frac{RTP - P/T}{Q} \right]$$

where RTP is the designed performance, T is the revenue, P is the total prizes and Q is a control variable.

6. (Presently Amended) <u>The</u> ~~A~~ method according to <u>claim 1</u> ~~any one of Claims 1 to 4~~ in which the modified ratio I_n is determined in accordance with the formula:

$$I_n = I_O + \left[\frac{RTP - P/T}{Q} \right]$$

where I_0 is the base ratio, RTP is the designed performance, T is the revenue, P is the total prizes and Q is a control variable.

7. (Presently Amended) <u>The</u> ~~A~~ method according to ~~any preceding~~ claim <u>1</u> in which the predetermined ratio is modified periodically.

8. (Presently Amended) <u>The</u> ~~A~~ method according to <u>claim 1</u> ~~any of claims 1 to 6~~ in which the predetermined ratio is modified in real time.

9. (Presently Amended) <u>The</u> ~~A~~ method according to <u>claim 1</u> ~~any preceding claim~~ in which the predetermined ratio is modified in response to the occurrence of non-time base criteria.

10. (Presently Amended) <u>The</u> ~~A~~ method according to <u>claim 1</u> ~~any preceding claim~~ in which the predetermined ratio is modified within an upper limit.

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11. (Presently Amended) The ~~A~~ method according to <u>claim 1</u> ~~any preceding~~ ~~claim~~ in which the predetermined ratio is modified within a lower limit.

12. (Presently Amended) Apparatus for allocating a player's contribution in a gaming apparatus between a plurality of games, ~~the method~~ comprising ~~the steps of~~:

a) input means for receiving a contribution from a user;

b) splitting means for splitting the contribution into a number of parts in accordance with a predetermined ratio;

c) allocating means for allocating at least one of the parts of the contribution to one of the games; and

d) control means operable in response to the measured performance of the gaming apparatus to modify the predetermined ratio.

13. (Original) Apparatus according to claim 12 in which the measure of performance is the ratio of designed performance and the actual performance.

14. (Original) Apparatus according to claim 13 in which the performance is determined in dependence upon the ratio of the revenue of the gaming apparatus and the value of prizes paid by the gaming apparatus.

15. (Original) Apparatus according to claim 14 in which the modification of the ratio is proportional to the difference in designed performance and actual performance.

16. (Presently Amended) Apparatus according to <u>claim 12</u> ~~any of claims 12 to~~ ~~15~~ in which the modified ratio I_n is determined in accordance with the formula<u>:</u>

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$$I_n = I_{n-1} + \left[\frac{RTP - P/T}{Q} \right]$$

where RTP is the designed performance, T is the revenue, P is the total prizes and Q is a control variable.

17. (Presently Amended) Apparatus according to <u>claim 12</u> ~~any of claims 12 to 15~~ in which the modified ratio I_n is determined in accordance with the formula:

$$I_n = I_O + \left[\frac{RTP - P/T}{Q} \right]$$

where I_0 is the base ratio, RTP is the designed performance, T is the revenue, P is the total prizes and Q is a control variable.

18. (Presently Amended) Apparatus according to <u>claim 12</u> ~~any of claims 11 to 17~~ in which the control means is operable to modify the predetermined ratio periodically.

19. (Presently Amended) Apparatus according to <u>claim 12</u> ~~any of claims 11 to 17~~ in which the control means is operable to modify the predetermined ratio real time.

20. (Presently Amended) Apparatus according to <u>claim 12</u> ~~any of claims 11 to 19~~ in which the control means is operable to modify the predetermined ratio in response to the occurrence of time independent criteria.

21. (Presently Amended) Apparatus according to <u>claim 12</u> ~~any of claims 11 to 19~~ in which the control means is operable to modify the predetermined ratio within an upper limit.

22. (Presently Amended) Apparatus according to <u>claim 12</u> ~~any of claims 11 to 21~~ in which the control means is operable to modify the predetermined ratio within a lower limit.

23. (Presently Amended) Apparatus for use with a gaming machine to control the proportion of a user's contribution to a game, the apparatus comprising:

performance measuring means operable to measure the performance of the gaming machine;

control means operable in response to the performance of the gaming machine to modify the proportion of the user's contribution to the game[[,]] <u>; and</u>

communication means for communicating the modified proportion to the gaming machine.